

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKLEARNING ANNEX HOLDINGS, LLC,  
LEARNING ANNEX, LLC, and  
LEARNING ANNEX, L.P.,

Plaintiffs,

v.

RICH GLOBAL, LLC and  
CASHFLOW TECHNOLOGIES, INC.,

Defendants.

09 Civ. 4432 (SAS) (GWG)

**Plaintiffs' Exhibit List with Defendant's Objections**

Ex. No.	Trial Ex. No.	Date	Description	Bates No.	Objections
1	28	7/9/05	Correspondence between Pino, Zanker and Rosin re Dynatech business plan and Learning Annex compensation	LA 00712	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
2	32	7/22/05	Email from Kane to Del Canto with pro formas for RDPD	LA 0004	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).

3	41A	9/7/05	MOU1	LA 00007	Parties are negotiating redactions. Defendant reserves the right to object to the extent Plaintiffs will not agree to redact in accordance with the Court's <i>in limine</i> rulings.
4	47	9/15/05	Authorization letter from Lechter to Zanker	LA 0009	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
5	55	9/26/05	Correspondence between R. Whitney and Zanker re Kiyosaki proposal	WHITNEY 00681	Hearsay (Fed. R. Evid. 801 and 802).
6	56	9/26/05	Email/letter from Hyams to C. Lopez re trademark protection	LA 19068-70	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
7	58	9/26/05	Email from R. Whitney to Zanker and Orens re proposal	LA 00010	Hearsay (Fed. R. Evid. 801 and 802).

8	60	10/3/05	Correspondence between Zanker and Wolff re Rich Dad business ventures	RD ESI 39186	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: promotional activities.
9	69	10/25/05	Email from Zanker to R. Whitney re proposal	LA 18971	Hearsay (Fed. R. Evid. 801 and 802).
10	70	10/26/05	Correspondence between Kane, Zanker and Del Canto re RDPD PowerPoint	LA 00021	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
11	90	12/5/05	Correspondence between Kane, Zanker, Del Canto, Orens and Whitney re NYC meeting	LA 0047	Hearsay (Fed. R. Evid. 801, 802).
12	102	1/6/06	Correspondence between Kristin Thomas and Zanker re 1/11/06 meeting	WHITNEY 5727	Hearsay (Fed. R. Evid. 801, 802).

13	113	1/13/06	Correspondence from Kane to participants recapping meeting on 1/11/2006 (MOU2)	LA 0063	Hearsay (Fed. R. Evid. 801, 802). Inadmissible in light of in limine ruling re: splitting/sharing revenues. Need to redact paragraph beginning "Rich Dad will recognize through contract . . ."
14	118	1/20/06	Correspondence from A. Mannion to participants with agenda for meeting and RDE projections	WHITNEY 5712-15	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
15	122 A	1/27/06	Correspondence between Kane and Lechter re results of meeting		Hearsay (Fed. R. Evid. 801, 802). Inadmissible in light of in limine ruling re: splitting/sharing revenues. Need to redact points 1, 2, and 3 on list of "what we decided to do"

16	126 A	2/1/06	Correspondence between McElroy and Kane re letter of intent	WHITNEY 0004883, 0004878	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of in limine ruling re: splitting/sharing revenues.
17	128	2/3/06	Correspondence between Kane and McElroy re Learning Annex	WHITNEY 33497	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of in limine ruling re: reasons for termination. Need to redact text of top email and: “We love your organization but are having concerns with the Learning Annex.”

18	132	2/2/06	Correspondence between Lechter, Kiyosaki, Porter and Zanker re termination	LA 00071	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: reasons for termination.
19	141	2/13/06	Correspondence between Whitney and Lechter re business relationship	RD ESI 39398	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: reasons for termination. Need to redact: "I will be giving you a call tomorrow to update you on our progress with Bill Zanker."

20	142	2/13/06	Correspondence between Kane and Maturo re business relationship with Rich Dad	WHITNEY 9310	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: reasons for termination. Need to redact: "I will be giving you a call tomorrow to update you on our progress with Bill Zanker."
21	143	2/14/06	Correspondence between Zanker, Lechter and Kiyosaki re Whitney waiver	LA 19177	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: reasons for termination.
22	151	3/29/06	Correspondence between Kane and Lechter re collaboration	WHITNEY 0005247	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).

23	169	7/27/06	Correspondence between A. Novas and Kane re press release for Rich Dad deal	WHITNEY 5061	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: evidence of fraud. Need to redact: "I do recommend however that we do not release it until after we travel to NYC next week to meet with the folks from Learning Annex."
24	181	9/29/06	Correspondence between Del Canto and Zanker	LA 19203	Hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: evidence of fraud. Need to redact top email.
25	199		Summary of Rich Dad Global Royalties and Management Fees (November 2006-August 2007)	RD-ESI 0028181-82	Hearsay (Fed. R. Evid. 801 and 802).
26	205	3/31/09	Tigrent Form 10-K YE 12/31/08		Hearsay (Fed. R. Evid. 801 and 802).
27	212	April 2012	Payments made by Rich Dad Education to Rich Global	RICH-DAD-RFP 008780	Hearsay (Fed. R. Evid. 801 and 802).

28	222	3/3/11	Tigrent Form 10-K YE 12/31/10		Hearsay (Fed. R. Evid. 801 and 802).
29	223		Correspondence between Lechter and Kane re Learning Annex waiver		Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: evidence of fraud.
30	231	March 2006	Executed LOI between Rich Dad and Whitney	WHITNEY 0008283	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
31	255		Soudry Resume		Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
32	259	5/29/07	Tigrent 10-K YE 12/31/2007		Hearsay (Fed. R. Evid. 801 and 802).

33	300		Soudry Summary Exhibit <sup>1</sup>		Hearsay (Fed. R. Evid. 801 and 802). Objection to any reference to gross revenues of entire free seminar business.
34	301		Soudry Summary Exhibit		Hearsay (Fed. R. Evid. 801 and 802). Objection to any reference to gross revenues of entire free seminar business.
35			Licensing Business Handbook		Hearsay (Fed. R. Evid. 801 and 802).
36			<i>Rich Brother Rich Sister</i>		Irrelevant (Fed. R. Evid. 401 and 402), unfairly prejudicial (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802). Inadmissible in light of <i>in limine</i> ruling re: evidence not on prior exhibit list.
37			February 6, 2012 Licensing Letter Issue		
38		4/11/11	Exhibit Removed		

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<sup>1</sup> Plaintiffs reserve the right to update the Soudry Summary information, Exhibits 33 and 34, and add related exhibits once updated financial information regarding the amount of compensation Rich Dad received from the free seminar business in 2011 and 2012 is provided by Defendants or Whitney.

39		3/5/12	Exhibit Removed		
40			Seth Matlins Resume		Unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801 and 802).
41		4/11/11	Exhibit Removed		
42		4/25/11	Expert Report of Thomas Pastore		
43		3/5/12	Supplemental Expert Report of Thomas Pastore and all Exhibits and Appendices		
44	108	3/24/10	Rich Dad Education formation documents		Irrelevant (Fed. R. Evid. 401, 402).
45		11/19/09	Deposition testimony of Sharon Lechter: 6:09-6:10; 7:20-8:03; 9:06-10:04; 12:08 – 13:09; 18:24 – 19:22; 23:25 – 24:20; 32:06-32:23; 32:06-32:23; 34:19-35:13; 37:01-39:07; 44:22-45:07; 47:17 - 48:23; 49:15-50:04; 52:11-52:17; 53:16-55:09; 57:1-59:01; 63:04-63:11; 65:19-67:14; 67:24-70:12; 70:16-71:01; 76:06-76:25; 77:01-80:01; 83:15-85:14; 87:14-88:02; 93:01-93:07; 101:20-102:20; 111:20-24; 113:22-114:9; 116:19-117:18	Inadmissible in light of <i>in limine</i> rulings. See Defendant's Objections to Plaintiffs' Deposition Designations.	

46			Exhibit Removed		
47	29	7/12/05	Email between Roshin (Dynatech) and Del Canto re Rich Dad proposal	LA 656	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
48	78	11/7/05	Correspondence from Huhem (MIT) to Zanker re Rich Dad brand strategy	LA 20600	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
49	82	11/16/05	Correspondence between Lechter, Seifert, Hyams re trademark issues	LA 18222	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
50	83	11/16/05	Correspondence between Lechter, Hyams and Seifert re trademark issues	LA 18226	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
51	103	1/6/06	Correspondence between Kane, Zanker, Whitney re 1/11/06 meeting	WHITNEY 5727	Hearsay (Fed. R. Evid. 801, 802).

52	187	11/8/05	Correspondence between Munson (MIT) and Zanker re Rich Dad Opportunity	LA 00711	Irrelevant (Fed. R. Evid. 401, 402), unfairly prejudicial, confuses the issues, misleading, delay (Fed. R. Evid. 403), hearsay (Fed. R. Evid. 801, 802).
53			The Licensing Business Handbook Brochure [Pastore Mar. 2012 Deposition Exhibit 13]		Irrelevant (Fed. R. Evid. 401, 402), hearsay (Fed. R. Evid. 801, 802).
54			Nevin Sanli and Tom Pastore, Remaining Public - The Best Option in Troubled Markets [Pastore Mar. 2012 Deposition Exhibit 14]		Irrelevant (Fed. R. Evid. 401, 402), hearsay (Fed. R. Evid. 801, 802).